Sectt. II-27—50,000—23-11-42.

Development (1944) Department

Ms. SERIES.

Passed

G.O. No. 3261

Dated 26 7 1944

[Despatch Abstract.]

Education - Industrial - Government Trades School, Mangalore - Buildings Renewal of lease and enhancement of rent Sanctioned

No.272-C/44.

Office of the Director of Industries and Commerce, Madras,
Ootacamund, dated 28th May 1944.

From

A.Khaleeli Esq., I.C.S.,
Director of Industries and Commerce.

To

The Secretary to Government,
Development Department, Madras.

ADDITIONAL U.S. SECRETARY TO GOVERNMENT
30 MAY 1944
DEVELOPMENT DEPARTMENT

31528-D/44

Sir,

Sub: Government Trades School, Mangalore - Buildings - Lease - Renewal of - For a further period of 2 years from 1-6-1944 - Requesting.

Ref: G.O.No.Ms.565 Development dated 19th March 1942.

The term of lease entered into with the owner of the building in which the Government Trades School, Mangalore is located expires on the 31st May 1944. The owner of the building has agreed to renew the lease for a further term of 2years from 1st June 1944; but wants for the reasons explained in his letter (copy enclosed) that the rent payable should be enhanced from Rs.130-13-0 to Rs.170-0-0. The Superintendent of the School considers the proposed increase in rent to be reasonable. I therefore request that Government may be pleased to sanction the renewal of the lease for a further period of two years from 1-6-1944 on a monthly rental of Rs.170/-.

2) The owner also stipulates that the coconut trees in the compound should be excluded from the lease and that he should be permitted to use the coconuts. He may be permitted to do so as the Superintendent recommends the same.

Director of Industries and Commerce.

G.M.28.5.

P.T.O.

Copy of letter dated 23rd May 1944 from Messrs:A.Alouquerque and Sons Mangalore, to the Superintendent, Government Trades School, Mangalore.

With reference to the interview we had yesterday regarding the renewal of the lease of the Trades School premises.for a further period.of 2 years commencing from 1-6-44,on the original rental of Rs.163-8-0 and not the existing rental of Rs.130-13-0, I am agreeable to lease the same on rental of Rs.163-8-0 but subject to the following:

When the rent of Rs.163-8-0 was being paid by the Department, the Municipal taxes were at the rate of 12% on the gross rental but now the Municipal taxes represent 16% of the gross rental and so out of Rs.163-8-0, I will be out of pocket of Rs.6-8-8.monthly and I therefore want Rs.170-0-8 monthly from 1-6-44.

Further I find that the coconut trees are much neglected for want of proper manuring etc. and I therefore request you to permit me the use of coconut fruits of the garden as I have to manure the trees etc,.

Dev. Dept.

Memo No 31528-B/44-1 Dt 12.6.'44

Sub:- Education - Industrial - Govt Trades School, Mangalore - Buildings - Renewal of lease at enhanced rental - Request of -

Ref:- From the D.E.& C. No 272-C/44 Dt 28.5.'44

The D.E.& C. is requested to report on the following

(a) How, on account of the alteration in the percentage rate of municipal tax, calculated on the gross rental value, the owner will lose Rs 6-8-8 per mensem, if the base rental is not increased from Rs. 130-130 to Rs. 170-00.

(b) Whether the owner will not be compensated for the loss, if any, by way of the usufruct on the

Coconut trees ~~and the compound~~ proposed in the new lease for renewal of the lease, and

) how the owner was satisfied with a rental of Rs. 130-130 (reduced from 163-80 in 1940) during the last four years.

Fwd in ©. F.3.

The D.9+C6

R. 25/6.

26.6.44. The D.C. is also requested to give specific reasons for recommending an enhanced rental at the rate asked for by Owner.

12/6/44

12/6/44

No.273-C/44. Office of the Director of Industries & Commerce, Madras. Dated 5th July 1944.

39345-D/44
8.7.44

From
A. Khaleeli, Esqr., I.C.S.,
Director of Industries & Commerce,
Chepauk, Madras.

To
The Under Secretary to Government
Development Department, Madras.

Sir,

Sub: Govt. Tr[illegible] School Bangalore - Buildings - Renewal of lease at enhanced rental - regarding.
Ref: Govt. Memorandum No.31528-D/44-1 dated 12th June 1944.

The annual rental value of the building the lease of which is now proposed to be renewed for a further term for the occupation of the Govt. Tra[illegible] School, Mangalore, is Rs.1962 as entered in the Municipal register. The rent to be paid in respect of the building has therefore been fixed at Rs.1962/12 = Rs.163-8-0 per month. When the lease was renewed in June 1940, the land-lord agreed as a special case and as a temporary measure to reduce the rent to be paid by Government by 20% with effect from 1st June 1940. But in as much as the cost of building materials required for maintenance and repairs of buildings has considerably increased at present the land-lord is not prepared to allow the reduction any longer and demands payment of rent at the original rate on and from 1-6-1944. The Municipal tax on the building has also increased during the current year from 12 to 16% on the gross annual rental value. The additional tax the land-lord has therefore, to pay is Rs.78-8-0 per annum or Rs.6-8-0 per mensem which he will have to lose if the rent is not increased to that extent.

On account of the general increase in the rent ofbuildings now prevaili I agree with the Superintendent in recommending that in addition to the

original rent of Rs.166.8-0 per month the land-lord be allowed Rs. 6-8-0 per mensem which constitutes the increased tax of 4% which he has to pay to the Municipality.

3) The annual value of the usufruct of the coconut trees based on the last 6 years average is reported to be Rs.27/. But as this amount would be just sufficient to meet the charges for watering, manuring and maintaining the trees, the owner reports he will not be compensated for the loss by the usufruct on the coconut trees now proposed to be excluded from the lease.

GS.5/7.

For Director of Industries and Commerce.

Dev. Dept. 7

Office
A
26.7.44

xx/27/7

Sub:- Educa Industrial - Govt. Trades School, Mangalore - Buildings - Renewal of lease & enhancement of rent - Sanctioned.

Read again:- Gio (Ms) No. 565 Dev. Dy. 19.3.42

Read also from the D.P.C. No. 272-C/44 dy. 28.5.44

Order (Ms) No. 3261 Dev. dy. 26.7.44

The Govt. are pleased to accord sanction for the renewal of the lease of the building in which the Govt. Trades School, Mangalore is housed for a further period of three years from 1.8.44 on a monthly rent of Rs. 170/- (Rupees one hundred and seventy) subject to the conditions specified in the order cited.

2. The Govt. are also pleased to direct that the Coconut Trees in the Compound of the School will be excluded from the terms of the lease.

S.O.

2.6.44 dy 3644

New Delhi

To Addl. U.S

Please see the letter from the D.Sec. at pp 1-2 C. Subject to orders, a draft order is submitted overleaf for approval. It may be sent to Finance for acceptance. (The monthly rental was reduced in 1940 from Rs 163-8-0 to Rs 130-13-0. and the revised rent has been in force for 1940-44. It is not clear how many Cocoanuts on an average the Corporation is receiving any appreciable amount was realised by the disposal of cocoanuts in the previous years & consequently the effect of the present remunerative rate can be worked out; no reference on this point seems necessary) Please note on calculations at 'x' on P.2 C.C. Why was the rent reduced for 4 yrs. to Rs 130-13! Will the owner be out of pocket etc and is his contention at 'x' accurate?

26.6.44

X on p 2 C. (C)

para 2, p 1 C.

Dec

R. X

Sec

C.F. 31528-2/44.

Sub:- Education - Industrial - Govt Trades School, Kasaragode - Renewal of lease & Enhancement of rent - Sanction

Ref. From the D.I.C. Lr. No. 272/44/B3 28.5.44

To Addl. U.S.

Dev. Dept.

Please see the letter from the D.I. & C. at pp. 1-2 c.f. Subject to orders, a draft order is submitted overleaf for approval. It may be sent to Finance for acceptance (The monthly rental was reduced in 1940 from Rs. 163-8-0 to Rs. 130-13-0 and the revised rent has been in force from 1940-44. It is not clear how many cocoanut trees there are in the compound and whether any appreciable amount was realised by the disposal of cocoanuts in the previous years and credited to the Government. In view of the present recommendation of the D.I. & C. on both these points, no reference on the points seems necessary. Please note on calculations at "X" on p. 2. c.f. Why was the rent reduced for 4 years to Rs. 130-13? Will the owner be out of pocket? and is his contention at "X" accurate?

D.J.C.C.
3-6-44.

Government of Madras

PUBLIC (SERVICES) DEPARTMENT

G.O. No. 1105, 3rd June 1940

Public servants—Confidential reports—Communication of unfavourable remarks to officers concerned—Instructions issued.

Order—No. 1105, Public (Services), dated 3rd June 1940.

It has been alleged that adverse remarks made against subordinates are not communicated to them as required by the orders on the subject. The attention of Heads of Departments and offices is invited to the instructions contained in G.Os. No. 1583, Public, dated 5th November 1915, No. 1264, Public (Services), dated 24th September 1930, No. 763, Public (Services), dated 14th September 1933, and No. 42, Public-(Services), dated 7th January 1936, and they are requested to follow them strictly.

(By order of His Excellency the Governor)

D. N. STRATHIE.
Chief Secretary.

To the Departments of the Secretariat (all sections).
,, all Heads of Departments.

To Hdd. QS: Query at R. on p.2 above:

The calculation at x on p.2 Cf. has been verified. The increase in the rate of Municipal tax is not susceptible of check in the Secretariat. The reasons for reducing the rent in 1940 are stated at Z on p.1 Cf. of ©. The owner is now presumably asking for the original rent of Rs. 163-13-0, plus the increase in the Municipal tax, on account of the increase in cost of living since 1940. The D.J.&C. has generally supported the claim for enhanced rent without giving reasons. If the entire claim for a enhanced rate is not conceded, the owner may be out of pocket to the extent of Rs. 6.8.8 per representing the increase in the Municipal tax. But this may be offset by the benefit accruing to him on the use of the coconut trees in the compound. For orders.

Z on p.1 Cf. ©
163-13-0
6-8-8
170-5-8
2 on p.2 Cf.

H & X on p.1 Cf.

2 on p.2 Cf.

Z on p.2 Cf.

(P.T.O.

VK (Notes from P.2 above and Pp. 1-2 C.F.)

The D. of I. of C. is not very clear in his recommendation for renewal of the lease on enhanced rate envisaged.

For orders as to whether

(a) he should forthwith be directed to report ① as to exactly how, with explanatory figures, the owner is going to lose R6-8-(8) if the rental is not enhanced from R130-13- to R163-8 plus R6-8-(8) ~~(① as to whether)~~ because of an alteration in the percentage rate of municipal tax on the gross rental value, ② as to whether he is not anyway going to make up the supposed loss of R6-8-(8) by way of windfall on the warrant trees concerned if ① above is shown to be a true contention, and ③ as to how he hasn't been losing money if ① is true while the rent has been at R130-13 - or -

(b) that in view of the fact that ② the lessee has

been continued pending orders from 1.6.44; presumably on the understanding that the higher rent asked for is going to be paid; and ~~(illegible)~~ we may agree with the enhancement proposed by the D. of I. & C.

S.
7.6.44

A Report may be called for as suggested
Put U.S. at A' on p. 4 above.
9/6/44

To Addl. Dis:- As on top above

A draft memo to the D. of C. is submitted below for approval.
12.6.44 12/6/44

[Issued as Memo No 3102 8.2444-1 dt 12-6-44]
[From the D of C - No. 272.C/44 dt 5.7.44]
Dev Deptt.

4/3-7-44
5-6 C.

To Hdd. Us :- Under Secretary's note on pp 4-5 above :- (39

The letter of the D.T.C. at pp 5-6 of may be perused. For the reasons explained at length at above it is for orders whether the proposal of the D.T.C. will be accepted. If so, the draft order put up at p. 11 above may be approved. The case may be sent to the Finance Dept. for acceptance of the draft order.

11.7.44 S. 15/7/44 Dev.2.03/528

15.7.44

Fin (EB)

17 JUL 1944 C

G.0828 Dev

15/7/44

38

170-0-0 EB

130-13-0 38 for (EB)

39-3-0

Rent for the past 4 years, i.e. from 1-6-40 to 1-6-44, has been only Rs 130-13-0 p.m. The increase now demanded is Rs 39-3-0 per mensem and it is said to be due to increase in municipal tax and increase in the cost of materials required for maintenance & repairs. The additional municipal tax payable for the building is said to be Rs 78-8-0 per annum or Rs 6-8-0 per mensem. Excluding this, the additional cost of maintenance

pp 5 C F

X 7

comes to Rs 32-11 per mensem or Rs 392-4-0 per annum. This seems to be rather ~~xxxxxxxxxxx~~ exaggerated. It is for consideration whether this Dept. may suggest that the Dir. of I.& C. may be asked to have the rent of the building fixed by the Rent Controller. ~~before according sanction for the increased rent~~

3930 t.f. - 32-11-0

Do 22/7/44

24 22.7.44

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(Ref. O.N. above).

Altho' the Dir. goes off the rails in referring to the "general increase in the rent.."(a point with which, of course, the Rent C. Order is designed to deal), he need not have invoked that point at all; the facts at p.5 c.f. are enough; if I were a Controller dealing with this case, I would not support Govt.; Fin. accepts the draft.

A

Fei (e) No 38562(EB) 26.7.44

43162-D/44 25.7.44

4/26.7.44. Dev. Dept.

To Addl. Secs:-

'A' above.

Please see Finance notes at pp 6-7 above. For orders whether the draft order at p.1 above may now issue.

25.7.44 Cs 25-7-44

Issue. 26/7/44

Close

[Issued as G.O.(Ms) No. 3261 (Dev) dt 26.7.44]